

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 13, 2023

SEAN F. McAVOY, CLERK

U.S.A. vs.

Mota, Raul

Docket No.

0980 2:22CR00073-TOR-2

Petition for Action on Conditions of Pretrial Release

COMES NOW Elizabeth Lee, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Raul Mota, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James A. Goeke, sitting in the court at Spokane, Washington, on the 17th day of August 2022, under the following conditions:

Standard Condition #9: Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

Additional Condition #16: Defendant shall submit to random urinalysis testing (or any other form of prohibited substance testing) as directed by the United States Probation/Pretrial Services Office.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

On August 19, 2022, the conditions of pretrial release supervision were reviewed with Mr. Mota. He verbally acknowledged an understanding of his conditions, which included standard condition number 9, and additional condition number 16, as noted above. Mr. Mota was referred to Merit Resource Serves (Merit) to participate in the color line program for random drug testing and for substance abuse treatment.

Violation #1: Raul Mota is alleged to be in violation of his pretrial release conditions by using a controlled substance, cocaine, on or about March 21, 2023.

On March 21, 2023, Mr. Mota reported to Merit for drug testing as required. He provided a urine sample that was presumptive positive for cocaine. Mr. Mota called a probation officer while at the Merit office and reported to probation that he had used cocaine on March 17 and 19, 2023. The sample was sent to Abbott Laboratory, and the drug test report was later received confirming a positive result for cocaine.

Violation #2: Raul Mota is alleged to be in violation of his pretrial release conditions by failing to report for drug testing on or about May 18, 2023.

On May 19, 2023, Merit staff reported Mr. Mota failed to report for drug testing as required the day prior when his assigned color was called. Mr. Mota admitted to the undersigned officer he did not call the color line on May 18, 2023, and thus he did not complete the drug test as required. Mr. Mota completed a drug test on May 19, 2023, and the drug test results were negative.

It is respectfully recommended that the Court order no action as Mr. Mota's noncompliance is substance abuse related, he admitted the violations, and to date drug tests have been negative. His participation in Narcotics Anonymous was also increased to require at least one meeting every Saturday and Sunday due to Mr. Mota feeling at higher risk to use on the weekends. Recently, Mr. Mota successfully completed outpatient substance abuse treatment at Merit.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

Re: Mota, Raul

July 12, 2023

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I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: July 12, 2023

by s/Elizabeth Lee

Elizabeth Lee
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this
petition with the other violations pending before the
Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

7/13/23

Date